



**Please Direct All Correspondence to Customer Number 20995**

### TRANSMITTAL

Applicant : Malackowski et al.  
 App. No : 10/718,041  
 Filed : November 18, 2003  
 For : SYSTEM AND METHOD FOR  
       CREATION OF A PATENT  
       INVESTMENT ENTITY  
 Examiner : Unknown  
 Art Unit : Unknown

### CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 12, 2006

(Date)

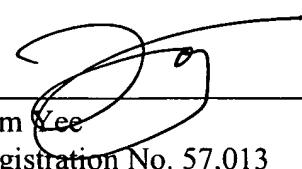
Tom Yee, Reg. No. 57,013

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

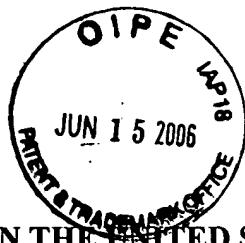
Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney in 7 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

  
 Tom Yee  
 Registration No. 57,013  
 Attorney of Record  
 Customer No. 20,995  
 (949) 760-0404

OTOM.016A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James E. Malackowski )  
App. No. : 10/718,041 )  
Filed : 11/18/2003 )  
For : SYSTEM AND METHOD FOR )  
CREATION OF A PATENT )  
INVESTMENT ENTITY )  
Examiner :

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute

App. No. : 10/718,041  
Filed : 11/18/2003

this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Ocean Tomo, LLC

Dated: 5/8/06

By: RH

Printed Name: Raymond Millien

Title: General Counsel

Address: 200 West Madison, 37<sup>th</sup> Floor  
Chicago, IL 60606

PA-75  
2405579  
022806

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Atty. Dkt. No. 073139-0104

## ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor (hereinafter referred to singly and collectively as "ASSIGNOR") has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto

ICMB Ocean Tomo  
Civic Opera Building  
20 North Wacker Drive, 27th Floor  
Chicago, IL 60606

(hereinafter ASSIGNEE) its successors and assigns, the full and exclusive right, title and interest for the United States, its territories and possessions, and all foreign countries in and to this invention relating to

### SYSTEM AND METHOD FOR CREATION OF A PATENT INVESTMENT ENTITY

as set forth in this United States Patent Application

check one      [ ] executed concurrently herewith,  
                  [ ] executed on \_\_\_\_\_,  
                  [ X ] Serial No. 10/718,041   Filed 11/18/2003

as well as in and to (a) all improvements and modifications of the above-identified invention or inventions, (b) the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

# COPY

ASSIGNOR HEREBY AUTHORIZES ASSIGNEE to file patent applications in any or all countries on the above-identified invention or inventions in the name of the undersigned or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable under the International Convention or otherwise.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

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Atty. Dkt. No. 073139-0104

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representative or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, and declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

ASSIGNOR HEREBY GRANTS to the law firm of **Foley & Lardner LLP** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

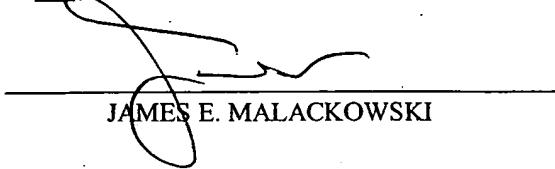
ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **Foley & Lardner LLP** do not personally represent ASSIGNOR OR ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

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Atty. Dkt. No. 073139-0104

Executed this 14 day of APRIL, 2004

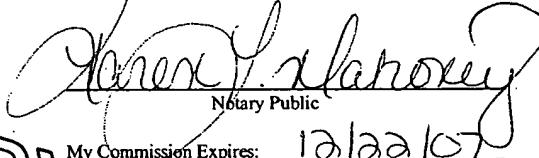
  
JAMES E. MALACKOWSKI

State of Illinois)  
County of Cook)ss.

On this 14 day of APRIL, 2004 before me, a notary public in and for said county, appeared JAMES E. MALACKOWSKI, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



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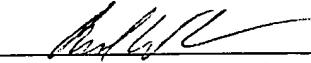
  
Karen L. Mahoney  
Notary Public  
My Commission Expires: 12/22/07

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Atty. Dkt. No. 073139-0104

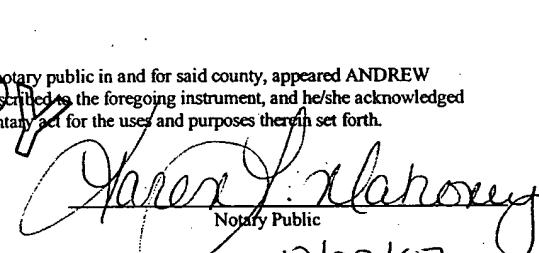
Executed this 14<sup>th</sup> day of April, 2004.



ANDREW CARTER

State of Illinois)  
County of COOK) ss.

On this 15 day of APRIL, 2004, before me, a notary public in and for said county, appeared ANDREW CARTER, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.



Karen L. Mahoney  
Notary Public

My Commission Expires: 12/22/07



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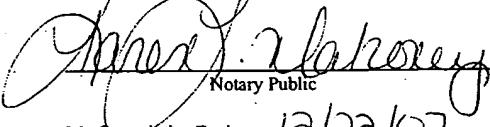
Atty. Dkt. No. 073139-0104

Executed this 18 day of April, 2007.

Mark J. Rubin  
MARK RUBIN

State of Illinois)  
County of Cook) ss.

On this 15 day of April, 2007 before me, a notary public in and for said county, appeared MARK RUBIN, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

  
Notary Public

My Commission Expires: 12/22/07



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